

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 3225 - HB 3416

February 28, 2012

SUMMARY OF BILL: Prohibits any person from being elected to serve on a local board of education after September 1, 2012, if the person has a relative employed by the LEA. Defines “relative” as parent, foster parent, parent-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, or other family member who resides in the same household. Prohibits relatives of a director of schools from also being an employee of the local education agency (LEA), except relatives who were licensed employees in the LEAs at least three years before the director was hired and who is still qualified for the position the person holds; a person who is not the director’s spouse, was a licensed employee in the LEA for at least three years before becoming a relative of the director by marriage and who is still qualified for the position the person holds; and a director’s spouse who has at least 10 years of service in the LEA; however, this individual shall not hold a position in which the spouse supervises licensed employees. Prohibits a director’s relative who is employed in one of the exceptions listed above from being promoted during the director’s time in office.

Prohibits an LEA from employing a relative of a school board member, unless, on July 1, 2012, the board member is serving on the board; and the relative is an employee of the LEA and was not hired during the tenure of the board member. Authorizes a relative employed during the 2011-2012 school year and initially hired during the tenure of the board member serving on July 1, 2012, to continue their employment during the remainder of the board member’s term in office. Prohibits relatives of board members from being promoted during the board member’s time in office.

Prohibits hiring of relatives of school principals, except that a relative who is not the principal’s spouse and who is employed in the principal’s school during the 2011-2012 school year may continue their employment. Prohibits a principal’s spouse from being employed in the principal’s school unless the spouse is employed at the school during the 2011-2012 school year and there is not a position for which the spouse is licensed to fill at another school. Requires the principal’s spouse to have his or her teaching evaluation done by someone other than the principal if the spouse is employed at the principal’s school.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – To the extent that LEAs have difficulty recruiting in hard to staff subjects or that have numerous family members teaching or serving as board members, teachers, or principals, some LEAs will increase expenditures to hire teachers from outside the county’s normal recruiting area to replace teachers that are relatives of school board members and principals. Any increase in mandatory local expenditures is not quantifiable and will be dependent upon the salary structure of the LEA and the number of teachers that will be needed.

Assumptions:

- The overall number of teachers and principals will not change.
- According to the Comptroller, there are LEAs in which more relatives of board members and principals teach and serve than others. These LEAs will recruit to find more teachers from outside the general locale of the county school system and as a result pay them more as a recruiting mechanism. Any increase in mandatory local expenditures is not quantifiable and would be dependent upon the location of the LEA, the number of teachers that are needed, and the subjects for which the LEA is hiring.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

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